
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Joseph M. King	:	Case No. 1:18-CV-00488
37135 Tail Feather Dr.	:	
North Ridgeville, OH 44039	:	Judge Donald C. Nugent
and	:	
Angel Almanza	:	<u>SECOND AMENDED CLASS ACTION</u>
15454 County Rd., C2	:	<u>COMPLAINT</u>
New Bavaria, OH 43548	:	(Jury Demand Endorsed Hereon)
and	:	
Laureen Andresen	:	
3001 Portman Ave.	:	
Cleveland, OH 44109	:	
and	:	
Stephen Baldwin	:	
27759 Ayersville Rd.	:	
Defiance, OH 43512	:	
and	:	
James Eisenhut	:	
5525 Boneta Rd.	:	
Medina, OH 44256	:	
and	:	
Louis J. Gregorcic	:	
3749 Lake Vista Road	:	
Akron, OH 44319	:	
and	:	

Robert Howard :
1901 Surrey Oaks Ct. :
Arlington, TX 76006 :

and :

Annette Ingram :
1835 Hartford Dr. :
Gastonia, NC 28052 :

and :

Fred Leshner :
23326 W. Centerfield Dr. :
Genoa, OH 43430 :

and :

Jerime Magrum :
513 Giles Ave. :
Crowley, TX 76038 :

and :

Kenneth J. Mekolon :
2220 Sulphur Rd. :
Smiths Grove, KY 42171 :

and :

James Milby :
602 N. Race St., Apt. A :
Glasgow, KY 42141 :

and :

Michael Morgan :
3881 W. 146th St. :
Cleveland, OH 44111 :

and :

Mark Rohrig :
730 Scottsborough Cir. :
Bowling Green, KY 42103 :

and :

Saiby Salama :

5895 Kings Hwy. :

Parma Hts., OH 44130 :

and :

Bethanna Spires :

384 Locust Forge Ln. :

Lebanon, OH 45036 :

and :

E. David Swetmon :

251 Atlantis Way :

Bowling Green, KY 42104 :

and :

Donnie Tomes :

70 Old Big Reedy Rd. :

Caneyville, KY 42741 :

On behalf of themselves and all similarly- :

situated former employees of G4S Secure :

Solutions (USA), Inc. :

Plaintiffs, :

vs. :

G4S Secure Solutions (USA), Inc. :

c/o The Prentice Hall Corp. Sys., Inc. :

50 West Broad St., Suite 1800 :

Columbus, OH 43215 :

and :

Chuck Brock :

c/o G4S Security Solutions (USA), Inc. :

1395 University Blvd. :

Jupiter, FL 33458 :

and :

Don Drent
c/o General Motors
300 Renaissance Center
MC: 482-C31-C22
Detroit, MI 48265

and

Kevin Baker
c/o General Motors
1444 Michigan St. NE
Grand Rapids, MI 49503

and

JOHN DOES, 1-100,

Defendants.

SECOND AMENDED CLASS ACTION COMPLAINT
(Jury Demand Endorsed Hereon)

(Insert here paragraphs 1-91)

* * *

92. The Classes for which Plaintiffs seek certification are defined as:

(a) All former G4S employees assigned to GM who were eligible for but did not receive paid time off benefits or other incentive payments owed under policies applicable to personnel assigned to GM.

(b) All former G4S employees who received paid time off benefits upon termination of their employment with G4S under policies applicable to personnel assigned to GM which were untimely and/or less than full amount owed in violation of O.R.C. § 4113.15(B).

(Insert here paragraphs 93-102)

* * *

COUNT VIII – VIOLATION OF R.C. 4113.15

103. Plaintiffs incorporate by reference each and every allegation contained in paragraphs 1 through 102 of this Complaint as if fully rewritten herein.

104. As a corporation doing business in the state of Ohio, G4S is subject to the mandatory provisions of O.R.C. § 4113.15 regarding the payment of wages to all its employees regardless of where they are located.

105. Subsequent to the filing of the Class Action Complaint, G4S made some payments of Termination Benefits to some employees, including all but one of the Hourly Plaintiffs.

106. Despite the fact there was no dispute over these employees' right to Termination Benefits upon expiration of the GM Contract terminating their employment, G4S violated O.R.C. § 4113.15(B) by failing to pay them those benefits within the timeframe required by the statute and/or by paying less than the amount owed.

107. As a direct and proximate cause of Defendants' misconduct and violations of O.R.C. § 4113.15(B), Hourly Plaintiffs and similarly-situated Class members are entitled to liquidated damages in amounts equal to 6% of the amounts of the claims still unpaid or \$200.00, whichever is greater.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, on behalf of themselves and all others similarly-situated, respectively, pray for the following judgment against the Defendants:

- A. An order certifying this action as a class action;
- B. An order appointing Plaintiffs King and Almanza the Class Representatives and appointing undersigned counsel to represent the Class;

- C. Compensatory damages in an amount to be determined at trial;
- D. As to the Hourly Plaintiffs and others similarly-situated, liquidated damages in amounts equal to 6% of the amounts of the claims still unpaid or \$200.00, whichever is greater, pursuant to O.R.C. § 4113.15(B);
- E. Statutory damages for civil theft pursuant to O.R.C. § 2307.61(A)(1)(b)(ii), Tex.Civ.Prac. & Rem.Code § 134.005, and N.C. Gen. Stat. § 1-538.2;
- F. Punitive damages in an amount to be determined at trial;
- G. Reasonable attorney fees and all costs incurred by Plaintiffs in this matter; and
- H. Any and all such other relief as this Court deems to be just and equitable.

Respectfully submitted,

/s/ Amy A. Wuliger

Amy A. Wuliger (0091420)
William T. Wuliger (0022271)
Mark E. Kremser (0066642)
Megan Spagnolo Lai (0085815)
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Counsel for Plaintiffs

JURY DEMAND ENDORSEMENT

Plaintiffs, individually and on behalf of the Class, requests a trial by jury composed of the maximum number of jurors allowable by law as to all issues so triable.

/s/ Amy A. Wuliger

Amy A. Wuliger (0091420)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Second Amended Class Action Complaint was filed electronically this 31st day of May 2019. Parties will be served by operation of the Court's electronic filing system and may access the filing in accordance therewith.

/s/ Amy A. Wuliger
Amy A. Wuliger (0091420)